

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth, ERS and PBA**

**NOTICE OF CORRESPONDENCE REGARDING THE FOUR HUNDRED
FOURTEENTH OMNIBUS OBJECTION (SUBSTANTIVE) OF THE
COMMONWEALTH OF PUERTO RICO, THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO, AND THE
PUERTO RICO PUBLIC BUILDINGS AUTHORITY TO LATE-FILED CLAIMS**

To the Honorable United States District Court Judge Laura Taylor Swain:

1. On February 4, 2022, the Commonwealth of Puerto Rico (the “Commonwealth”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with ERS and the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Commonwealth, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Four Hundred Fourteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Late-Filed Claims* [ECF No. 20040] (the “Four Hundred Fourteenth Omnibus Objection”) to various proofs of claim.

2. The Four Hundred Fourteenth Omnibus Objection seeks to disallow certain late-filed claims (the “Claims to Be Disallowed”). As set forth in the Four Hundred Fourteenth Omnibus Objection and supporting exhibits thereto, the Claims to Be Disallowed were filed after the applicable Bar Date: (i) June 29, 2018 at 4:00 p.m. (Atlantic Time), for creditors of the Commonwealth and ERS, or (ii) July 29, 2020 at 4:00 p.m. (Atlantic Time), for creditors of PBA.³ Accordingly, pursuant to the terms of the Bar Date Orders, each of the holders of the Claims to Be Disallowed are barred from asserting a claim against the Debtors, and the Debtors are discharged from any and all liabilities to such claimants.

3. Any party who disputed the Four Hundred Fourteenth Omnibus Objection was required to file a response by 4:00 p.m. (Atlantic Standard Time) on March 7, 2022, in accordance with the Court-approved notice attached to the Four Hundred Fourteenth Omnibus Objection as Exhibit C, which was served in English and Spanish on the individual creditors subject to the Four Hundred Fourteenth Omnibus Objection, the U.S. Trustee, and the Master Service List (as defined

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

³ Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Four Hundred Fourteenth Omnibus Objection.

in the *Fifteenth Amended Case Management Order* [ECF No. 17127-1]). See *Certificate of Service* [ECF No. 20153].

4. The Debtors have received the following correspondence:
 - Two responses on June 1, 2022 from Maria Ivet Feliciano Rosado (“Feliciano Rosado”), copies of which are attached hereto as Exhibit “A” (the “First Feliciano Rosado Response”) and Exhibit “B” (the “Second Feliciano Rosado Response,” and together with the First Feliciano Rosado Response, the “Responses”), regarding Proof of Claim No. 179662 (the “Feliciano Rosado Claim”);

Certified translations of the First Feliciano Rosado Response and the Second Feliciano Rosado Response are attached hereto as Exhibit “A-1” and Exhibit “B-1,” respectively.

I. The Responses

5. On October 18, 2021—over three years after the Commonwealth’s Bar Date—Feliciano Rosado filed the Feliciano Rosado Claim, which was logged by Prime Clerk as Proof of Claim No. 179662. The Oversight Board seeks to disallow the Feliciano Rosado Claim as late-filed pursuant to the Four Hundred Fourteenth Omnibus Objection.

6. The First Feliciano Rosado Response consists of a “Motion in Fulfillment of Order and Show Cause for Non-Dismissal [*sic*]” addressed to the United States Court of Appeals for the First Circuit as well as several related documents attached as “annexes.” In the First Feliciano Rosado Response, Feliciano Rosado refers to proceedings related to a different claim—Proof of Claim No. 10547 (“Claim No. 10547”), to which the Oversight Board objected pursuant to the *Four Hundred Thirty-Fifth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Claims for Which the Commonwealth is Not Liable* (Docket Entry No. 20490) (the “Four Hundred Thirty-Fifth Omnibus Objection”)⁴—and does not dispute the fact that the Feliciano

⁴ This Court sustained the Four Hundred Thirty-Fifth Omnibus Objection with respect to the Feliciano Rosado Claim on June 7, 2022 in the *Memorandum Order Sustaining the Four Hundred Thirty-Fifth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Claims for*

Rosado Claim was filed after the applicable bar date, *see* First Feliciano Rosado Response at 9, 18, 21.

7. The Second Feliciano Rosado Response consists of 153 pages of scanned, largely Spanish-language documents pertaining to Feliciano-Rosado's son, custody matters, and the treatment of child-custody payments, in addition to copies of court documents related to Claim No. 10547. Like the First Feliciano Rosado Response, the Second Feliciano Rosado Response does not dispute the fact that the Feliciano Rosado Claim was filed after the applicable bar date.

8. Accordingly, because neither Feliciano Rosado Response disputes that the Feliciano Rosado Claim was not timely filed or provide any explanation for Feliciano Rosado's failure to file a timely claim, the Debtors respectfully request that the Court grant the Four Hundred Fourteenth Omnibus Objection and disallow the Claims.

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Which the Commonwealth is Not Liable With Respect to Proof of Claim No 10547 [ECF No. 21134].

Dated: April 11, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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